

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

10 QUINTON SHORTER,

11 Plaintiff, No. CIV S-03-2359 LKK KJM P

12 vs.

13 EDWARD ALAMEIDA, et al.,

14 Defendants. ORDER

15 _____ /
16 Plaintiff, a state prison inmate proceeding pro se with an action under the federal
17 Age Discrimination Act, 42 U.S.C. § 6101, et al. The matter was referred to a United States
18 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

19 On August 23, 2005, the magistrate judge filed findings and recommendations
20 herein which were served on all parties and which contained notice to all parties that any
21 objections to the findings and recommendations were to be filed within twenty days. Plaintiff
22 has filed objections to the findings and recommendations.

23 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-
24 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire
25 file, the court finds the findings and recommendations to be supported by the record and by
26 proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed August 23, 2005, are adopted in full;

and

2. Defendants' December 14, 2004 motion to dismiss for failure to exhaust administrative remedies is granted.

DATED: September 16, 2005.

/s/Lawrence K. Karlton
UNITED STATES DISTRICT JUDGE

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